



General Assembly

February Session, 2008

***Raised Bill No. 5630***

LCO No. 1699

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Referred to Committee on Public Health

Introduced by:  
(PH)

***AN ACT PROMOTING CONSISTENCY AMONG PEER REVIEW PROCEEDINGS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 17a-210 of the 2008 supplement  
2 to the general statutes is repealed and the following is substituted in  
3 lieu thereof (*Effective October 1, 2008*):

4 (a) There shall be a Department of Developmental Services. The  
5 Department of Developmental Services, with the advice of a Council  
6 on [Mental Retardation] Developmental Services, shall be responsible  
7 for the planning, development and administration of complete,  
8 comprehensive and integrated state-wide services for persons with  
9 mental retardation and persons medically diagnosed as having Prader-  
10 Willi syndrome. The Department of Developmental Services shall be  
11 under the supervision of a Commissioner of Developmental Services,  
12 who shall be appointed by the Governor in accordance with the  
13 provisions of sections 4-5 to 4-8, inclusive, of the 2008 supplement to  
14 the general statutes. The Council on [Mental Retardation]  
15 Developmental Services may advise the Governor on the appointment.  
16 The commissioner shall be a person who has background, training,

17 education or experience in administering programs for the care,  
18 training, education, treatment and custody of persons with mental  
19 retardation. The commissioner shall be responsible, with the advice of  
20 the council, for: (1) Planning and developing complete, comprehensive  
21 and integrated state-wide services for persons with mental retardation;  
22 (2) the implementation and where appropriate the funding of such  
23 services; and (3) the coordination of the efforts of the Department of  
24 Developmental Services with those of other state departments and  
25 agencies, municipal governments and private agencies concerned with  
26 and providing services for persons with mental retardation. The  
27 commissioner shall be responsible for the administration and  
28 operation of the state training school, state [mental retardation]  
29 developmental services regions and all state-operated community-  
30 based residential facilities established for the diagnosis, care and  
31 training of persons with mental retardation. The commissioner shall be  
32 responsible for establishing standards, providing technical assistance  
33 and exercising the requisite supervision of all state-supported  
34 residential, day and program support services for persons with mental  
35 retardation and work activity programs operated pursuant to section  
36 17a-226 of the 2008 supplement to the general statutes. The  
37 commissioner shall stimulate research by public and private agencies,  
38 institutions of higher education and hospitals, in the interest of the  
39 elimination and amelioration of retardation and care and training of  
40 persons with mental retardation. The commissioner shall conduct or  
41 monitor investigations into allegations of abuse and neglect and file  
42 reports as requested by state agencies having statutory responsibility  
43 for the conduct and oversight of such investigations. In the event of the  
44 death of a person with mental retardation for whom the department  
45 has direct or oversight responsibility for medical care, the  
46 commissioner shall ensure that a comprehensive and timely review of  
47 the events, overall care, quality of life issues and medical care  
48 preceding such death is conducted by the department and shall, as  
49 requested, provide information and assistance to the Independent  
50 Mortality Review Board established by Executive Order No. 25 of

51 Governor John G. Rowland. The commissioner shall report to the  
 52 board and the board shall review any death: (A) Involving an  
 53 allegation of abuse or neglect; (B) for which the Office of Chief Medical  
 54 Examiner or local medical examiner has accepted jurisdiction; (C) in  
 55 which an autopsy was performed; (D) which was sudden and  
 56 unexpected; or (E) in which the commissioner's review raises questions  
 57 about the appropriateness of care. [The commissioner shall stimulate  
 58 research by public and private agencies, institutions of higher learning  
 59 and hospitals, in the interest of the elimination and amelioration of  
 60 retardation and care and training of persons with mental retardation.]  
 61 The department's mortality review process and the Independent  
 62 Mortality Review Board shall operate in accordance with the peer  
 63 review provisions established under section 19a-17b for medical  
 64 review teams and confidentiality of records provisions established  
 65 under section 19a-25 for the Department of Public Health.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2008	17a-210(a)

***Statement of Purpose:***

To require the department's mortality review process and the operations of the Independent Mortality Review Board to be consistent with other peer review processes found in the general statutes.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*